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California Regional Water Quality Control Board,
Central Valley Region

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SHASTA

IN THE MATTER OF THE INSPECTION OF:)	No.
)	
Baker Ridge Parcels)	AFFIDAVIT IN SUPPORT OF
APNs 041-270-003-000, 041-270-014-000,)	INSPECTION WARRANT
041-300-006-000, 041-300-033-000, 041-300-034-000,)	(Code Civ. Proc., § 1822.50 et seq.)
and 041-300-035-000)	(Wat. Code, §§ 1051, 13267)
_____)	

I, Clint Snyder, declare as follows:

1. I am employed by the Regional Water Quality Control Board for the Central Valley Region ("Central Valley Water Board" or "Board") in the Board's Redding office. I have a Bachelor of Science in Geology from the California State University, Chico. I have been employed by the Central Valley Water Board since 2008. Prior to working for the Central Valley Water Board, I had been employed by VESTRA Resources, Inc. from January 2002 to May 2008 and SHN Consulting Engineers and Geologists, Inc., from July 2001 to January 2002. During my employment with VESTRA Resources, I was a Senior Geologist, principal, and member of the Board of Directors.

1 2. During my time with the Central Valley Water Board, I have worked in various
2 programs, including permitting, enforcement, inspections, site cleanup, underground storage
3 tanks (USTs), and landfills. From January 2011 through February 2013, I was the Supervising
4 Senior for the UST, Site Cleanup, and Land Disposal Unit of the Central Valley Water Board. I
5 am currently the Assistant Executive Officer in the Redding Office of the Central Valley Water
6 Board and manage the Redding office.

7 3. As Assistant Executive Officer of the Central Valley Water Board's Redding office, I
8 provide Executive Management oversight for all programs conducted by the Board including,
9 Point Source and Non-Point Source Discharge Programs, Water Quality Certification, Storm
10 Water, Timber Harvest, Mines, Site Cleanup, Underground Storage Tanks, Land Disposal,
11 Dairies, Irrigated Lands, and Enforcement Programs. My duties at the Central Valley Water
12 Board include oversight of environmental investigations at various facilities and properties
13 throughout the region for the type and character of water code violations that are frequently
14 associated with marijuana cultivation, such as, discharges of wastes including, but not limited to,
15 earthen materials, chemical reagents, cement wastes, or petroleum products, affect or threaten to
16 affect the quality of waters of the state.

17 4. I am also the Central Valley Water Board's Lead Prosecution Officer for all matters
18 originating from the Redding Office. This includes Administrative Civil Liability Complaints,
19 Cleanup and Abatement Orders issued pursuant to Water Code section 13304, and all orders for
20 technical reports issued pursuant to Water Code section 13267, and water quality certifications
21 issued pursuant to section 401 of the federal Clean Water Act.

22 5. This affidavit is made in support of the Central Valley Water Board's request for an
23 Inspection Warrant pursuant to Code of Civil Procedure section 1822.50 et seq., Water Code

1 section 13267, subdivision (c), and Water Code section 1051; to establish reason to believe that
2 conditions of nonconformity with the Water Code regarding the cultivation of marijuana and
3 related activities may exist at the property described below; and to set forth reasons why it is
4 necessary to have law enforcement personnel accompany the Central Valley Water Board for the
5 inspection.

6
7 **PROPERTY**

8 6. The properties to be inspected are located along Baker Ridge Road in Shasta County,
9 Assessor's Parcel Numbers (APNs): 041-270-003-000, 041-270-014-000, 041-300-006-000,
10 041-300-033-000, 041-300-034-000, and 041-300-035-000 (collectively referred to as the
11 "Property"). Plats and aerial photographs of the Property are attached as **Exhibit A** hereto. The
12 Property to be inspected is within the jurisdiction of the Central Valley Water Board. According
13 to County records, the current owners of the individual parcels that make up the Property are as
14 follows:

15 APN	Owner	Address
16 041-270-003-000	Siller Brothers INC	1255 Smith Rd, 17 Yuba City, CA 95991
18 041-270-014-000	Johnathan Camara & 19 Leiko Edmoundson	P.O. Box 372, Igo, CA 96047
20 041-300-006-000	Robert F. & Maria D. Scott	P.O. Box 2133, 21 Redway, CA 95560
22 041-300-033-000	William Clagett	3628 18 th St., 23 San Francisco, CA 94110

1 041-300-034-000 Charles A. & Sheila M TR 3335 Placer St. #166,
2 De Nuccio Redding, CA 96001
3 041-300-035-000 Christopher Cordes 101 South F St.,
4 Pensacola, FL 32502
5

6 **SUMMARY OF INFORMATION**

7 7. Central Valley Water Board staff has received information from representatives from the
8 Shasta County Department of Resource Management and the Department of Fish and Wildlife
9 that a person or persons on the Property likely conducted unpermitted marijuana cultivation
10 operations, along with associated activities including grading, road construction, construction
11 debris, construction of stream crossings, storage and use of chemicals and/or fertilizers, fuel
12 tanks, stream diversion, stream dredging, in-stream dams, and structures. **Exhibit B** is a report
13 prepared at my direction summarizing the investigation and information obtained to date. I
14 incorporate Exhibit B as if set forth fully here. I have discussed the content of exhibit B with
15 Mr. John Tomasello from the Shasta County Department of Resource Management and
16 Lieutenant DeWayne Little from the California Department of Fish and Wildlife (CDFW). I am
17 fully apprised of the investigation they conducted as set forth in Exhibit B. I declare that Exhibit
18 B is a true and correct summary of that investigation to the best of my knowledge and belief.

19 8. As described in **Exhibit C**, Patrol Lieutenant DeWayne Little of the CDFW, along with
20 members of the Shasta County Sheriff Marijuana Investigations Team, conducted several
21 overflights of the Igo-Ono area during the spring and summer of 2014. During these overflights
22 they observed large scale grading and the installation of marijuana cultivation infrastructure on

1 Baker Ridge. Based on his experience, Lt. Little believes that the site possess a significant threat
2 to the waters of the State.

3 9. On October 22nd, 2014 Mr. Marc Pelote and Mr. John Tomasello conducted an inspection
4 of the Property. That afternoon, they reported to the Central Valley Water Board that erosion and
5 sediment control measures implemented at the site are failing. Exhibit B includes photos taken
6 by Mr. Marc Pelote and Mr. John Tomasello on 22 October 2014. The CDFW and Shasta
7 County Department of Resource Management have requested the Central Valley Water Board to
8 conduct an inspection of the Property.

9 10. In my experience and judgment, marijuana cultivation and unpermitted grading activities
10 like those documented in the photographs provided in Exhibit B and C, and described by Mr.
11 Tomasello, Mr. Pelote, and Lt. Little, may be associated with conditions of and/or threatened
12 conditions of, pollution or nuisance resulting from discharges of waste to waters of the State and
13 of the United States involving chemicals and/or hazardous wastes from pesticides, fertilizers and
14 leaking fuel tanks or other chemical storage containers, earthen materials from grading, road
15 construction, stream dredging, in-stream dams, and construction debris from constructing
16 structures and roads, in violation of the Porter-Cologne Water Quality Control Act (Wat. Code §
17 13000 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.). Such
18 activities may also be associated with the diversion, use, and/or storage of water in violation of
19 the California Water Code (Wat. Code §§ 1052(a) and 5101).

20 **CENTRAL VALLEY WATER BOARD LEGAL AUTHORITY**

21 11. Water Code section 13050, subdivision (d) defines waste as "any and all other waste
22 substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human

1 or animal origin, or from any producing, manufacturing, or processing operation, including waste
2 placed within containers of whatever nature prior to, and for purposes of, disposal.”

3 12. Pursuant to Water Code section 13260, any person discharging waste, or proposing to
4 discharge waste, that could affect the quality of the waters of the state must file a report of waste
5 discharge. A report of waste discharge provides technical information necessary to evaluate the
6 waste discharge, including, but not limited to, waste characteristics, geologic and climatologic
7 characteristics of the discharge site and surrounding region, installed features, operation plans for
8 waste containment, and precipitation and drainage controls.

9 13. Water Code section 13267, subdivision (a) authorizes the Central Valley Water Board to
10 “investigate the quality of any water of the state” within the Central Valley Region. Section
11 13267, subdivision (c) states that the Central Valley Water Board “may inspect the facilities of
12 any person to ascertain whether the purposes of [the Porter-Cologne Water Quality Control Act
13 (Cal. Wat. Code § 13000 et seq.)] are being met.”

14 14. Pursuant to Water Code section 1052, subdivision (a), “the diversion or use of water
15 subject to [Division 2 of the Water Code] other than as authorized [in Division 2] is a trespass.”
16 Water Code section 5101 requires that persons who divert water shall file annual statements of
17 diversion and use with the State Water Resources Control Board.

18 15. Water Code section 1051 authorizes the Board to investigate streams and stream systems,
19 take testimony in regards to water rights or water use, and to “ascertain whether or not water
20 heretofore filed upon or attempted to be appropriated is appropriated under the laws of this
21 State.”
22
23

1 **SCOPE OF INSPECTION**

2 16. The purpose of the Inspection Warrant is to determine the existence of and, if extant, the
3 sources of waste discharge or threat of discharge to surface waters, surface water drainage
4 courses, or ground water and the compliance of those sources with the Porter Cologne Water
5 Quality Control Act (Wat. Code § 13000 et seq.) and the Federal Clean Water Act (33 U.S.C. §
6 1251 et seq.), and to determine the existence of diversions of surface waters and, if extant, the
7 compliance of those diversions with the California Water Code (Wat. Code § 1000 et seq.).

8 17. The inspection shall include entering upon and conducting a visual inspection of the
9 entire Property and conducting and documenting such inspection by taking such samples and
10 reviewing such writings and records that are kept and maintained on the Property as is necessary
11 to determine compliance with the statutory provisions cited above. The inspection may include:

12 (a) entering the Property, observing the physical conditions of the Property, and any
13 equipment located thereon and any operations, processes or other activities being
14 conducted thereon, including, but not limited to, water diversions, graded areas,
15 cultivated areas, road crossings, disposal areas, ponds, surface drainages, watercourses,
16 material stockpiles, storage, and buildings located on the Property;

17 (b) taking photographs and video of the physical conditions of the Property and any
18 equipment located thereon and any operations, processes or other activities being
19 conducted thereon;

20 (c) questioning of or conferring with persons present on the Property privately to
21 obtain information bearing on whether violations of the laws and regulations occurred;

22 (d) the measurement of the pumping rate, if extant; the measurement of each
23 reservoir's area, dam height, and diversion facilities, if extant;

1 (e) collecting and analyzing samples of water, raw, graded, processed or stored
2 materials, chemical, fuel, waste, and/or other stored or contained materials;

3 (f) testing for water pollutants, including but not limited to sediment, fertilizers and
4 pesticides, from any source whether mechanical, process or natural;

5 (g) inspecting and duplicating any writings and records of spills or emergencies,
6 business plans, contingency plans, or any other information authorized under California
7 Water Code section 13267, subdivision (c).

8 18. The nature of the marijuana cultivation operations and CDFW's reports raise concerns
9 regarding the timeliness of executing the warrant, particularly the need to ensure that the owners
10 or occupants do not tamper with evidence, making it reasonably necessary to execute the
11 Inspection Warrant without providing at least twenty-four hour notice. I request that permission
12 be given to conduct the inspection without notifying the owners or operators of the Property in
13 advance of executing the warrant.

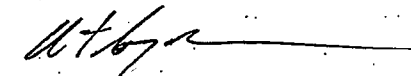
14 19. The Central Valley Water Board anticipates the execution of the Inspection Warrant may
15 be adversarial and the potential for physical violence may be present. I request that permission
16 be given to conduct the inspection accompanied by the Sheriff and/or other law enforcement
17 personnel, and CDFW's Law Enforcement Division.

18 20. Due to the nature of the marijuana cultivation operations and CDFW's reports, I request
19 that permission be given to conduct the inspection with force including but not limited to, cutting
20 chains or forcing open door locks necessary to execute this Inspection Warrant, authorizing law
21 enforcement personnel to detain any persons on the Property who resist, obstruct, or interfere
22 with Central Valley Water Board staff or law enforcement personnel in executing this Inspection
23 Warrant.

1 **WHEREFORE**, I respectfully request an Inspection Warrant be issued pursuant to Code of
2 Civil Procedure sections 1822.50 et seq. to Pamela C. Creedon, Executive Officer of the
3 California Regional Water Quality Control Board, Central Valley Region, her agents, and
4 employees to permit an inspection and investigation of the Property named above, as set forth
5 fully in the Inspection Warrant.

6 I declare under penalty of perjury that the foregoing is true and correct to the best of my
7 knowledge, information, and belief.

8 Executed this 27th day of October 2014 at Shasta County, California.

9 

10 Mr. Clint Snyder
11 Assistant Executive Officer
12 California Regional Water Quality Control Board,
Central Valley Region

13 Subscribed and sworn before me on this 27th day of October 2014.

14
15 

16 Judge
17 of the Superior Court, Shasta County
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